

1 AN ACT relating to violation of a protective order.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 403.763 is amended to read as follows:

- 4 (1) Violation of the terms or conditions of an order of protection after the person has  
5 been served or given notice of the order shall constitute contempt of court and a  
6 criminal offense under this section. Once a criminal or contempt proceeding has  
7 been initiated, the other shall not be undertaken regardless of the outcome of the  
8 original proceeding.
- 9 (2) (a) Court proceedings for contempt of court for violation of an order of protection  
10 shall be held in the county where the order was issued or filed.
- 11 (b) Court proceedings for a criminal violation of an order of protection shall  
12 follow the rules of venue applicable to criminal cases generally.
- 13 (3) Nothing in this section shall preclude the Commonwealth from prosecuting and  
14 convicting the respondent of criminal offenses other than violation of an order of  
15 protection.
- 16 (4) (a) A person is guilty of a violation of an order of protection when he or she  
17 intentionally violates the provisions of an order of protection after the person  
18 has been served or given notice of the order.
- 19 (b) Violation of an order of protection is a Class A misdemeanor ***for the first***  
20 ***offense and a Class D felony for subsequent offenses.***